



DEFENSE LOGISTICS AGENCY
HEADQUARTERS
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FORT BELVOIR, VIRGINIA 22060-6221

IN REPLY J-33
REFER TO FARS DEV 02- 07

DEC 23 2002

MEMORANDUM FOR DIRECTOR, DEFENSE ENERGY SUPPORT CENTER (DESC)

SUBJECT: Class Deviation from Federal Acquisition Regulation (FAR) 5.303 and Defense FAR Supplement (DFARS) 205.303 (Defense Logistics Acquisition Directive (DLAD) 5.303(a)(91))

The subject FAR and DFARS sections require the public announcement of certain acquisitions as much as 48 hours in advance of award. These timeframes do not permit DESC to take advantage of commercial practices and competition in the natural gas and electricity industries. This situation has been remedied, up to now, by a series of one-time deviations and, most recently, by a class deviation. The rationale articulated in the current DESC deviation request clearly justifies the granting of a follow-on deviation. However, DLAD policy directs that extensions of existing class deviations be handled as permanent DLAD coverage.

Therefore, pursuant to my class deviation authority under DFARS 201.404(b)(ii), I authorize DESC to notify DLA of any natural gas or electricity award by e-mail, fax, or phone call NLT 4:00 p.m. on the day the contract is awarded. Implementation will be in accordance with the DLAD coverage at 5.303(a)(91) (Attached).

This permanent deviation is effective upon incorporation of the coverage in the DLAD. The point of contact for this action is Ms. Mary Massaro, J-3311, who can be reached at (703) 767-1366, DSN 427-1366, or via e-mail addressed to mary_massaro@hq.dla.mil.


CLAUDIA S. KNOTT
Senior Procurement Executive

Attachment



PART 5

PUBLICIZING CONTRACT ACTIONS

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SUBPART 5.3 - SYNOPSES OF CONTRACT AWARDS

5.303 Announcement of contract awards.

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(a) Public announcement.

(a)(90) ***

(a)(91) *[DEVIATION 2002-xx (PERMANENT)] In order for DESC to take advantage of commercial practices and competition in the natural gas and electricity industries, DESC will provide the notification required in paragraph (a)(90), above, no later than 4:00 p.m. EST on the day the contract is awarded.*